



PATENT  
Customer No. 22,852  
Attorney Docket No. 08888.0530-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of:

Patrick BENOIT et al.

Application No.: 10/802,030

Filed: March 17, 2004

For: SEQUENCES UPSTREAM OF  
THE CARP GENE, VECTORS  
CONTAINING THEM AND USES  
THEREOF

)  
)  
) Group Art Unit: 1632  
)  
) Examiner: Unknown  
)  
) Confirmation No.: 3970  
)  
)  
)

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**


In response to the communication mailed April 29, 2004, the response to which extends through August 30, 2004 (August 29 being a Sunday), by the attached Petition for Extension of Time and requisite fee of \$420, Applicants submit a Declaration/Power of Attorney for filing in this application, the \$130 surcharge, the filing fee of \$770, and a copy of the Notice of Missing Parts.

Please associate the enclosed Declaration with the application, grant any extensions of time required to enter this response, and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 30, 2004

By:   
William L. Strauss  
Reg. No. 47,114

IFW  
A

## UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 30 2004

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/802,030

03/17/2004

Patrick Benoit

08888.0530-01

CONFIRMATION NO. 3970

## FORMALITIES LETTER



\*OC000000012463137\*

Morgan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
1300 I Street, N.W.  
Washington, DC 20005-3315

Date Mailed: 04/29/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/31/2004 SDENBOB1 00000022 10802030

01 FC:1001  
02 FC:1051

770.00 OP  
130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

*Z. Araya*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE